



# Pierce County Soccer Referees Association

## PCSRA Board Meeting Minutes

**June 13, 2016**

**LOCATION:** Tower Lanes 6323 6<sup>th</sup> Ave. Tacoma, WA 98406

**TYPE OF MEETING:** Regular Board Meeting

**MEETING CALLED TO ORDER:** 7:00 PM

**I. BOARD ATTENDANCE:** President, Darin Tugman; Vice President/ Director of Judicial, JJ Synder; Treasurer, Laci Moyer; Secretary, Michael Taft; \*Director of Officiating Joe Tomkins; Director of Education/Training, Cindy Moore; Directors at Large, Pat Firestone, Ed Littleton, and Jonathan Isenberg. (\*arrived at 7:10 PM)

**A. Board Member Absence:** Director of Referee Development Ray Moffatte; Director at Large Jamey Carter.

**Guest Attendance:** Colin Nisco Matthew Slichko, Lance Slichko

**II. AUDIENCES FROM THE MEMBERSHIP/PUBLIC:** Members of the audience may comment on any item on the agenda or a matter concerning PCSRA. Each person will be allowed three (3) minutes to speak with additional time allotted up to no more than five (5) minutes at the discretion of the Board President. A group with a designated speaker will have a total of five (5) minutes to speak. NONE

**II. APPROVAL OF BOARD MINUTES:** The Board approved the Board Minutes for May 09, 2016 meeting. Ayes: 8, Abstentions: 0, Nays: 0

### **IV. DIRECTOR AND COMMITTEE REPORTS:**

#### **A. Directors Reports**

1. President – The president called for a quick Executive session after roll call. The Executive session concluded at 7:08 PM.

The second order of the President's report was to introduce Lance Slichko and his father Matthew. Lance was being put forth as the appointee for the position

of Youth Representative to the Board. Director of Education/Training Cindy Moore questioned Lance on what he was going to do in this position. After some discussion it was suggested by the VP JJ Synder that the Board follow up on Director at Large Jonathan Isenberg suggestion of developing an outline of job duties for the Youth position and the Directors at Large positions. The appointment of Lance Slichko to the Youth Representative position was then put to a vote. The appointment passed. Ayes 8 Abstentions 0 Nays 0

The third issue raised by the President was the email from the WASRC to all assignors about assigning through the WASRC Arbitor license. As was said in last month's meeting the President desired a joint meeting of District III referee associations so we all can hear the questions and the answers by the WASRC Representative. The discussion was about why the representative was not invited to a PCSRA meeting as it would only help clarify any questions of the WASRC actions. The response was that because of the WASRC actions of the past it would be best for the parties to have joint meeting. That if a WASRC representative was to appear that they would have to followed the PCSRA format for guest speakers. It was decided that the President would pursue the joint association meeting concept.

2. VP/Director of Judicial – No Report Filed

3. Treasurer – As Filed. In addition to her report Laci added that she has received \$27,000 in 2016 HS/MS payments and the goal is have the monies distributed by June 15<sup>th</sup>. Laci ask who the web site master was Pat or Dave because of adjustments that need to be made. Tug responded that Dave Miller was until Pat was ready to take it over. Pat indicated that she was ready to take the responsibilities of web master over. The new pay schedule for the upcoming youth season needs to be posted and the old schedules deleted. Joe said he would take care of it. JJ questioned the Arbitor Invoice why were we billed for 69 referees and PCSRA deducted from 49 for a loss of revenue of \$800. Joe said it was due to new referees, referees doing a single game and other factors, but he would look into and make proper adjustments.

4. Director of Officiating – No report filed

5. Secretary's Report – As Filed. There were no questions.

6. Director of Referee Development – No Report Filed.

7. Director of Education/Training – As Filed. There were no questions.

## B. Committee Reports

1. Assignor Compensation Committee – No Report Filed. Committee has not yet met. Laci resumed the Committee chair and said there will be a report for the next Board meeting.
2. Club Agreement Status Report – Many of the clubs have not responded to the meeting scheduled on June 20<sup>th</sup> at Tower Lanes. This was the last opportunity for the clubs to voice their concerns over the Club Agreement. The new Club Agreement is going forward with or without club signatures. The Club Agreement details the PCSRA operating processes, pay schedules, and sets the fees for the web site usage.
3. Web-Site Committee – the web site progress is moving right along and the pieces are starting to come together.
4. Scholarship Committee - There was a number of candidates who submitted request for consideration. There was a question as to what the definition of a member in good standing was and as such the definition was recited from the current By-Laws. The Committee's recommendation was that Cyrus Maxon and Cody Olsen be given each a \$1,000 scholarship. A Resolution would be put forth under New Business by the Committee Chair.
5. Sportsmanship Award Committee – Committee Chair Jonathan Isenberg said he had a seventeen response nominating HS schools for this award. The top schools getting the most nominations were: Fife, Lakes, Washington and Clover Park. After review of a number factor the Committee recommended Washington HS for the boys Spring season. A Resolution would be put forth in New Business.

## **V. OLD BUSINESS (Resolution requires a motion for adoption. That the Board does hereby resolve to *adopt, approve* the subject matter as proposed or as revised.)**

1. B&O Tax Update – Laci made her report with the following summary of factors from the meeting of two hours with the attorney, Mike Johnson. If the goal is to create a plausible defense to keep PCSRA as a pass through agency thus exempt from B&O taxes then the following changes to operations need to be considered.

- The referees who receive the ability to self-assign games through identification with PCSRA must be independent contractors.
- The clubs and schools with whom use PCSRA permits self-assigning must have an agreement/contract detailing the terms and conditions between the parties.
- Adopt a new referee agreement which emphasizes the independent contractor status of the referee. Requiring each referee to have a business ID number would strengthen the position of independent contractor.
- Treat referees who apply their trade through PCSRA are to do so without financial support as they are independent contractors.
- Terminate control over referees in the application of their trade.
- Develop a 2017 budget reflecting the changes presented above.
- The question was asked is there a difference in for profit or non-profit organization in the application of B&O taxes and the answer from the attorney was no.

During the discussion it was asked if the Committee had talked to the Eastside Referee Association because it was understood that they do not pay B&O taxes.. The Committee had not talked to them and will make contact with them. We know that some associations pay and some do not but the issue is South King asked the question of the State Department of Revenue which has drawn this department in to the vary by saying “YES” they should be paying on all revenues received.

**2. Resolution Director & Officer (D&O) Insurance Rider.** There are three different scenarios for coverage of brain trauma. The General liability insurance that PCSRA has covers the Board and referees. If the Board is sued over head trauma injuries the Board is not covered under the existing D&O coverage. The last scenario to find a new policy that does not have the exclusion or purchase a rider for the coverage. The information will be available at the next Board Meeting. It is noted that WIAA/WOA provides for general liability coverage even for schools who are not members of WIAA as long as the assignor for the association is WOA certified. The Resolution was tabled until the dollar amounts for coverage is known.

**3.** There was general agreement that there should be a contract with Tacoma Middle Schools they are not part of WIAA. The changes recommended are in ARTICLE V GAME FEES Section 1 changing the PCSRA administrative fee from 6% to 13%; in Section 2 and Section 3 put in the current rates of \$53.20 for a center referee and \$42.95 for and assistant referee. ARTICLE 8

Insurance was deleted but will be reinserted to reflect the actual coverage provided. Resolution was tabled until corrections were made and reviewed.

**4. Resolution 2016-11 PCSRA Tournament Support** – To revise the Resolution which was adopted May 09, by the elimination of the language referencing control over how the funds are to be used and recording of receipts. To make the monies be a donation to be utilized as the tournament sees fit. The Resolution passed. Ayes: 7 Abstentions: 1 (Cindy Moore) Nays: 0

**VI. NEW BUSINESS (Resolution requires a motion for adoption. That the Board does hereby resolve to *adopt, approve* the subject matter as proposed or as revised.)**

**1. Resolution 2016-13 WOA Conference Attendees** – The Board moved to send three Board members to attend the WOA Conference August 5<sup>th</sup> and 6<sup>th</sup> in Yakima. The discussion on the Resolution was on how best to include language relating to an attendee dropping out of a prepaid conference and PCSRA recouping the prepaid conference fees. After much discussion by the Board it was determined that the Resolution be revised to include to have an attendee who determine they cannot attend to give notice by July 30 so another attendee can take their place or be responsible for reimbursing PCSRA for the fee. The Resolution passed as revised. Ayes: 8 Abstentions: 0 Nays: 0

**2. Resolution 2016-00 PCSRA Tournament Travel Support** – Referees who are PCSRA members were requesting funds from PCSRA to support their training by being selected for state tournaments. After a lengthy and vigorous discussion on the merits of maintaining referees as independent contractors, the SRC/tournaments paying for referee expenses the Resolution failed. Ayes: 2 (Joe Tomkins, JJ Synder) Abstentions: 1 (Cindy Moore) Nays: 5

**3. Resolution 2016-14 Reallocation of Funds for Attorney Fees** – PCSRA has received the first billing (65% completion of the legal analysis) from Jonson & Jonson the law firm tasked with helping PCSRA develop a plausible defense to remain as a pass through agency. As the 2016 budget for legal services did not cover the billing the Board voted to approve reallocate funds to cover the billing as determined by the Treasurer. Due to some concerns by some Board members on the direction of the analysis the B&O committee was told to hold any further discussions with the attorney. Cindy Moore said what she had heard today was not

what she had heard from others in the state and there was legislation addressing the independent contractor status and definition of a pass through agency. Committee Chair Laci Moyer said we need all the information we can obtain on this matter and to please email the contacts, information data on this subject for the Committee's review. The Resolution passed. Ayes: 7 Abstentions: 1 (Cindy Moore) Nays: 0

**4. Resolution 2016-00 Termination of Referee Services with Tacoma Public Schools –** PCSRA has notified all the schools that have complied with Section 8 of the WIAA/WOA Agreement that payments for referee services that are ninety (90) days delinquent may result in the termination of referee services. Of all the schools that did not pay their referee penalties in a timely only the Tacoma Public Schools still has not paid their penalty fees. The HS schools owe \$1183.39 in late fees and they are signers to the WIAA/WOA Agreement. The middle schools owe \$598.96 in penalties and they are not signers to the WIAA/WOA Agreement. The total late fee assessment for the only remaining schools is \$2381.72. Much of the discussion centered on what would PCSRA gain or lose by activating Section 8 of the WIAA/WOA Agreement. The schools would have no problem in replacing PCSRA as their source of referees. Joe Tomkins, the PCSRA Director of Officiating said he would assign referees to Tacoma Schools anyway if PCSRA terminated services. Other Board Members felt that it was strong arm tactics to enforce the agreement. It was asked the position of the WIAA/ WOA officials there position on Section and both said it should be enforced. It was also brought up that PCSRA was going to attempt to negotiate a Contract with the Middle Schools and that the penalties may be a bargaining chip. It does nothing to address the five HS in the Tacoma system. The Resolution failed. Ayes: 2 (Michael Taft, Ed Littleton) Abstentions: 0 Nays: 6

**5. Resolution 2016-15 Appointment of Youth Representative –** President Tugman introduced his candidate for the appointive position of Youth Representative. After a few remarks by the candidate and questioning by Cindy, the appointment of Lance Slichko as Youth Representative was affirmed. The Resolution passed. Ayes: 8 Abstentions: 0 Nays: 0

**6. Resolution 2016-16 HS Sportsmanship Award** – The sportsmanship Committee recommended Washington HS for the spring 2016 Mike Schmidt Sportsmanship Award. The Resolution passed. Ayes: 8 Abstentions: 0 Nays: 0

**7. Resolution 2016-17 Scholarships Awards** – The Scholarship Committee Chair Joe Tomkins recommended Cyrus Maxon and Cody Olsen for the recipients of the 2016 Referee Scholarship Awards of \$1000 each. The Resolution passed. Ayes: 8 Abstentions: 0 Nays: 0

## **VII. BOARD ISSUES/COMMENT**

## **VIII. EXECUTIVE SESSION – None**

## **IX. ADJOURNMENT –9:17 PM**